

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
STATESBORO DIVISION**

WASEEM DAKER,

Plaintiff,

v.

SHERRY BLAND, et al.,

Defendants.

CIVIL ACTION NO.: 6:20-cv-90

ORDER

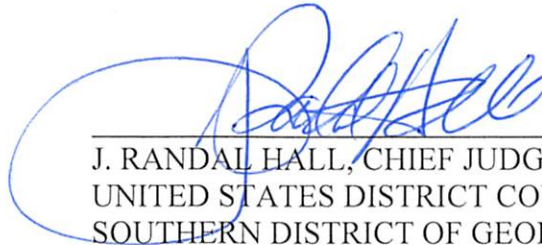
Plaintiff filed a Motion to Stay, or Alternatively, to Extend Time to File Objections to the Magistrate Judge's September 1, 2023 Report and Recommendation. Doc. 237. Plaintiff states the Magistrate Judge "erroneously assumed" Plaintiff's response to Defendants' motion for sanctions was his response to Defendants' motion to dismiss, but it was not. Id. at 2. Plaintiff also states, as a result, the Magistrate Judge also erred by observing Plaintiff did not respond to Defendants' statement of material facts. Id. Plaintiff asserts he received the Report and Recommendation and the Order directing Defendants to respond to Plaintiff's motion to strike on September 12, 2023, but it would be "premature" to require him to file his objections by September 18, 2023, for several reasons. Plaintiff states he did not know how Defendants would respond to his motion to strike, he would likely need to file a reply to Defendants' response, he did not know how the Court would dispose of his motion to strike, and he did not know whether he would even need to object to the Report and Recommendation because the Court should vacate it. Id. at 3–4.

The Court **DENIES** Plaintiff's Motion. Plaintiff chose to respond to Defendants' motion for sanctions but not their alternative motion for summary judgment. Plaintiff also chose to move

for an extension of time or for another stay on September 12, 2023, rather than filing objections to the Report and Recommendation. The Court notes Plaintiff did not have benefit of Defendants' response to his motion to strike on September 12, 2023, but he did have—as he admits he had—the Magistrate Judge's Report and Recommendation. Thus, on September 12, 2023, the Report and Recommendation was outstanding, Plaintiff had received it, and Plaintiff still had the opportunity to submit timely objections. However, Plaintiff elected not to submit objections.

By the time Plaintiff receives this Order, he will likely have received the Order denying his motion to strike and motion to stay, the Order adopting the Report and Recommendation as the opinion of the Court, and the Judgment closing this case. Docs. 234, 235, 236. Plaintiff may wish to object to the Report and Recommendation, and the Court will give any submitted objections whatever consideration is due. However, the Court will not grant Plaintiff an extension to submit his objections or stay these already closed proceedings at this time.

SO ORDERED, this 27th day of September, 2023.



J. RANDAL HALL, CHIEF JUDGE
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA